the Supreme Court of Texas, was then presented by Speaker Thomas.

Hon. Lynch Davidson, Lieutenant Governor-elect, then came forward and took the constitutional oath of office, which was administered to him by Chief Justice Nelson Phillips, and he also affixed his signature to the official oath, Chief Justice Phillips attesting same with the great seal of the Commonwealth of Texas.

Hon. W. A. Johnson, being presented to the joint session by the Speaker of the House, presented Hon. Lynch Davidson to the joint session and the assemblage.

Hon. Lynch Davidson then addressed the joint session and the assemblage.

Hon. Pat M. Neff, Governor-elect, then came forward and took the constitutional oath of office, which was administered to him by Chief Justice Nelson Phillips, and he affixed his signature to the official oath, Chief Justice Nelson Phillips attesting same with the great seal of the Commonwealth of Texas.

Hon. W. P. Hobby being presented to the joint session by the Speaker of the House, addressed the House and presented Hon. Pat M. Neff to the joint session

and the assemblage.

Hon. Pat M. Neff, Governor of Texas, then addressed the joint session and the assemblage.

#### SENATE RETIRES.

On motion of Senator Woods, the Senate, at 2:30 o'clock p. m., retired to its chamber.

#### ADJOURNMENT.

On motion of Mr. O. B. Black of Bexar, the House, at 2:30 o'clock p. m., adjourned until 2:30 o'clock p. m. tomorrow.

#### SEVENTH DAY.

(Wednesday, January 19, 1921.)

The House met at 2:30 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams. Beasley Aiken. of McCulloch. Baker. Beavens. Baldwin. Binkley. Barker. Bonham. Barrett of Bell. Black, O. B., Barrett of Fannin. of Bexar. Beasley Black, W. A., of Bexar. of Hopkins.

Branch. Brown. Bryant. Burkett. Burns. Carpenter. Childers. Chitwood. Coffee. Crawford. Crumpton. Cummins. Curtis. Darroch. Davis, John E., of Dallas. Davis, John, of Dallas. Dinkle. Duffey. Duncan. Edwards. Faubion. Fly. Fugler. Garrett. Greer. Grissom. Hanna. Hardin. Harrington. Henderson of McLennan. Henderson of Marion. Hendricks. Hill. Horton. Johnson of Ellis. Johnson of Wichita. Jones. Kacir. Kellis. King. Kveton. Lackey. Laird. Laney. Lauderdale. Lawrence. Leslie. Lindsey. Looney. McCord. McDaniel. McFarlane. McKean. McLeod. Martin. Marshall.

Mathes. Melson.

Bass. Brady. Estes.

Merriman. Miller of Dallas. Miller of Parker. Moore. Morris of Medina. Morris of Montague. Mott. Neblett. Owen. Patman. Perkins of Cherokee. Perkins of Lamar. Perry. Pollard. Pool. Quaid. Quicksall. Quinn. Rice. Rogers of Harris. Rogers of Shelby. Rountree. Rowland. Satterwhite. Schweppe. Seagler. Shearer. Sims. Sneed. Stephens. Stevenson. Stewart of Edwards. Stewart of Reeves. Swann. Sweet of Brown. Sweet of Tarrant. Teer. Thomas of Limestone. Thomason. Thompson of Harris. Thompson of Red River. Thorn. Thrasher. Veatch. Wadley. Walker. Wallace.  $\mathbf{Webb}$ Wessels. West. Westbrook. Williams of McLennan. Williams of Montgomery. Wright.

#### Absent.

Malone. Neinast. Smith.

#### Absent—Excused.

Burmeister. Cox. Hall. Morgan. Pope. Rosser.

A quorum was announced present. Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

# LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Hall, for yesterday and today, on motion of Mr. Beavens.

Mr. Rosser, for today and tomorrow, on motion of Mr. Wright.

Mr. Cox indefinitely, on motion of Mr. Burke.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

# By Mr. King:

H. B. No. 149, A bill to be entitled "An Act to provide for the purchase of additional land adjacent to or adjoining the present University Campus; providing for the appointment and selection of a 'Purchase and Building Committee'; prescribing their powers and duties in relation thereto; providing for the erection of a suitable building thereon, to be known as the 'Texas Memorial Building,' erected to the memory of 'Texas soldiers' who participated in the recent world war; providing that the 'Purchase and Building Committee' shall have full authority to institute and prosecute condemnation proceedings if found necessary in order to secure land as may be most desired and beneficial, and granting unto said 'Purchase and Building Committee' full authority to do all things necessary in carrying out the provisions of this act; authorizing and directing said 'Purchasing and Building Committee' to lease to the Board of Regents of the University of Texas and their successors in office the use of said land and building for a period of ninety-'nine (99) years for a nominal sum; making appropriations to carry out the provisions of this Act and declaring an emergency."

Referred to Committee on Education.

## By Mr. Seagler:

#An Act to amend Section 1, Chapter 12, said county and in the districts thereof,

of the General Laws of the State of Texas passed by the First Called Session of the Thirty-fifth Legislature, which act amended Chapter 60 of the General Laws of the State passed by the Regular Session of the Thirty-fifth Legislature, among other things, by adding to said Chapter 60 of said Regular Session another section known as Section 25, pertaining to the use of hog cholera virus, by amending said Section 25 so as to provide that any person may use hog cholera virus or serum by following the directions on the containers of such virus or serum, and providing a penaity for the violation thereof, and further providing herein that it shall be the duty of persons, firms, joint stock companies and corporations, who manufacture and offer for sale or who sell or offer for sale, within this State, hog cholera virus or serum, shall write or print the directions for the use thereof on the containers, and providing a penalty for the violation thereof, and declaring an emergency."

Referred to Committee on Stock and Stock Raising.

By Mr. Walker, Mr. Faubion and Mr. Thomason:

H. B. No. 151, A bill to be entitled "An Act to repeal Section 2, Chapter 96, General Laws of the Thirty-third Legislature, as amended by Chapter 10 of the Acts of the Regular Session, Thirty-fourth Legislature, relating to the taking of fish, and declaring an emergency."

Referred to Committee on Game and Fisheries.

#### By Mr. Hanna:

H. B. No. 152, A bill to be entitled "An Act to repeal Chapter 17 of the Local and Special Laws of the State of Texas, passed at the First Called Session of the Thirty-fifth Legislature, said chapter being an act to repeal Sections 5 and 11 of Chapter 33 of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, and adding thereto seven new sections, said new sections being Sections 14, 15, 16, 17, 18, 19 and 20, and to follow Section 13 of said original Chapter 33, and providing in substance that said county shall be divided into eight road districts and naming the boundaries and providing for the numbering thereof; declaring that hereafter all road construction in

aside from the ordinary maintenance and repair, shall be based upon surveys and specifications of some competent road engineer, and in certain cases by the county surveyor; providing for compensation for such work; fixing the standard of construction of all such roads; providing for the apportionment of all road funds and road and bridge funds to the eight road districts of the county, and providing the proportion thereof which each district shall receive. and that funds so apportioned shall not be transferred; providing for the time that each commissioner shall meet with the citizens of his respective district each year, and a hearing had as to the amount of road funds or road and bridge funds to be apportioned among the several roads of each district; that by such means each commissioner inform himself as to the conditions of the roads and matters necessary to make prorating of the funds to the several roads of each precinct; providing that at the first regular session of the commissioners court in February of each year said funds shall be apportioned among the said eight road districts in the county, but that said court at said term need only apportion 75 per cent of said funds to the definite roads and bridges of the district, leaving 25 per cent of such funds to be apportioned as it directs from time to time during the remainder of the year; providing for compensation of said commissioners; repealing all special laws or parts of special laws in conflict herewith; and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Owen and Mr. Veatch:

H. B. No. 153, A bill to be entitled "An Act to amend Article 2758, Chapter 12, Title 48, of the Revised Civil Statutes of the State of Texas as amended by Chapter 57, of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, relating to the salaries of county superintendents of public instruction."

Referred to Committee on Education.

By Mr. Chitwood, Mr. Rowland and Mr. Hill:

H. B. No. 154. A bill to be entitled "An Act to establish a branch of Agricultural and Mechanical College of Texas in that portion of Western Texas lying west of the ninety-eighth meridian and north of the thirtieth parallel; providing for the location of such college;

its government and the control of its finances; defining leading objects and prescribing generally the nature and scope of instruction to be given; providing for the instruction of all students of such college in military science, and for the military discipline of all students; conferring upon the Board of Directors of said college the right of eminent domain; making necessary appropriations for the location of said college, and declaring an emergency."

Referred to Committee on Education.

By Mr. Lawrence:

H. B. No. 155, A bill to be entitled "An Act to provide for the inspection of all public or private hospitals, reformatory homes, houses of detention, convents, asylums, sectarian seminaries, schools, or institutions, by the sheriff of the county in which such institutions are situated, or by the grand jury thereof, or by any person or persons appointed by the District Judge of the district in which such institutions are located, upon the petition of 20 citizens of said county or district, or by the volition of said judge, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. West and Mr. Melson:

H. B. No. 156, A bill to be entitled "An Act to postpone the publication of delinquent lists of State, county, special school, district school and levy improvement taxes by County Commissioners' Court and County Tax Collector, and the bringing of suits thereon until January 1, 1922, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Barker:

H. B. No. 157, A bill to be entitled "An Act to amend Title 4, Chapter 5, of the Penal Code of the State of Texas relating to duties of Tax Collectors and requiring collectors of taxes in this State to issue a statement to the owner, his agent or attorney for any real estate situated in this State showing amount of taxes due thereon, and adding Articles 145a and 145b, and creating a penalty for the failure or refusal of Tax Collectors to issue such statements upon request therefor."

Referred to Committee on Revenue and Taxaticu.

By Mr. Satterwhite:

H. B. No. 158, A bill to be entitled "An Act making appropriations to cover authorized deficiencies in appropriations heretofore made for the support of the State Government for the fiscal years ending August 31, 1920, and August 31, 1921, respectively, and declaring an emergency."

Referred to Committee on Appropria-

tions.

By Mr. O. B. Black of Bexar, Mr. W. A. Black of Bexar, Mr. West and Mr. Morgan:

H. B. No. 159, A bill to be entitled "An Act to amend Chapter 49, Acts of the Thirty-second Legislature, being an act constituting the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventythird Judicial Districts, and constituting Bexar County the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventythird Judicial Districts; providing for the present judges of the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventythird Judicial Districts to continue to hold their offices for the respective terms for which they were elected; prescribing the jurisdiction of said courts and providing for the election of judges thereof, and for the District Attorney of the Thirty-seventh Judicial District, and the other district courts of said district and prescribing his duties; prescribing how cases shall be numbered and filed in the several courts; providing the District Court of the Thirtyseventh Judicial District of Bexar County, Texas, and the District Court of the Forty-fifth Judicial District of Bexar County, Texas, to try criminal cases and give precedence to criminal business over civil business until the number of criminal cases in each court is reduced to fifty cases, and requiring said courts to give their entire time to trying of criminal cases until the number of criminal cases in each court is reduced to fifty or less, and requiring each court to alternately empanel a grand jury, and requiring the District Court of the Thirty-seventh Judicial District to transfer one-half of the cases on its docket to the District Court of the Forty-fifth Judicial District, leaving the oldest cases in point of date of filing in the District Court of the Thirty-seventh Judicial District, and transferring the second case to the District Court of the Thirty-seventh Judicial District, and transferring the fourth case to the District Court of the Forty-

fifth Judicial District, and thus in transferring each alternate case until one-half of the entire number in the District Court of the Thirty-seventh Judicial District is transferred to the District Court of the Forty-fifth Judicial District, and providing that the terms of the said courts be concurrent, that is, commencing and ending at the same time, and requiring that forfeited bond cases be tried by the District Courts of the Thirty-seventh Judicial District and the Forty-fifth Judicial District of Bexar County, Texas; that the District Clerk make up a docket for the criminal cases transferred to the Forty-fifth Judicial District, and ronealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judicial

Districts.

By Mr. Johnson of Blanco, Mr. Beasley of McCulloch, Mr. Duncan, Mr. King, Mr. Faubion, Mr. Harrison, Mr. Stewart of Reeves, Mr. Baldwin, Mr. Williams of McLennan, Mr. Jones, Mr. John Davis of Dallas, Mr. Leslie, Mr. Bonham, Mr. Walker, Mr. Thomason, Mr. Morris of Medina, Mr. Teer, Mr. Lackey and Mr. Rountree

H. B. No. 160, A bill to be entitled "An Act defining live stock commission merchants; requiring such merchants to give bond; providing for the renewal of such bond; the approval and recording of the same; imposing penalties for pursuing the occupation of a live stock commission merchant when bond has not been made or renewed, or when there has been an intentional breach of said bond, or for making materially false statements in the application relative to fixing the amount of the bond; requiring remittance of the proceeds of stock sold by such commission merchant to be made to the parties rightfully entitled thereto within forty-eight hours after such sale has been made, either in certified check or bank exchange, unless waived in writing by the parties rightfully entitled thereto, and prescribing penalty for failure to so remit; prohibiting the appropriation or use for any purpose by such live stock commission merchant of net proceeds of live stock sold by such live stock commission merchant, and prescribing penalty for so appropriating or using; requiring the posting of a certified copy of the bond in some conspicuous place in the office of the principal place of business of said live stock commission merchant, and prescribing

penalty for failure so to do; providing for suits upon said bond and fixing the venue thereof; repealing all laws in conflict herewith and especially the act of the Thirty-third Legislature, Chapter 49, Regular Session, page 93, and declaring an emergency."

Referred to Committee on Stock and

Stock Raising.

# HOUSE JOINT RESOLUTION ON FIRST READING.

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the appropriate committee as follows:

## By Mr. Baker:

H. J. R. No. 13, Proposing to amend Section 50. Article 3, of the Constitution of the State of Texas, so that it shall hereafter provide that the Legislature shall have power and authority to create and maintain a State plan of insurance to underwrite industrial accident insurance in Texas.

Referred to Committee on Constitu-

tional Amendments.

#### OATH OF OFFICE ADMINISTERED.

The Speaker appointed Mr. Miller of Parker, Mr. Greer and Mr. Neblett as a committee to escort Hon. F. E. Harrison, Representative-elect fom Palo Pinto county, to the Speaker's stand.

The committee having performed their duty, the constitutional oath of office was administered to Mr. Harrison by the

Speaker.

# RELATING TO OFFICIAL TIME ZONE.

Mr. Hill offered the following resolu tion:

Whereas, The line between what is known as Mountain time and Central time was, prior to January 1, 1919, on or near the western boundary line of the State of Texas, which had continued for many years, and which was entirely satisfactory to the people of that section; and

Whereas, The Interstate Commerce Commission put into effect on the first day of January, 1919, an order which placed the western part of the State of Texas in Mountain time, which was without the consent of the people of that section of the State; and

Whereas, The remainder of the State is in Central time, and thus places the western portion of the State at great disadvantage and inconvenience as to relations with the other parts of the State, and also as to local conditions, all of

which is very unsatisfactory to the people of that section of the State; and

Whereas, Many protests have been made to the Interstate Commerce Commission at Washington, all of which have brought about no changes nor any signs or intimations of reliet; and

Whereas, The Hon. Marvin Jones has introduced a bill in Congress which would afford the means for the necessary change; now, therefore, be it

Resolved by the House of Representatives, That the Congress be urged to take such action as will give relief and satisfaction to the people of that section;

and be it further

Resolved, That the Chief Clerk of the House be directed to transmit a copy of these resolutions to each of the United States Senators and members of the House of Representatives from Texas, requesting them to use their influence in this behalf; and be it further

Resolved, That a copy of this resolution also be sent, as above provided for, to each member of the Interstate Com-

merce Commission.

Signed-Hill, Baldwin.

The resolution was read second time, and was adopted.

# RELATING TO DISPOSITION OF CER-TAIN STATUTES.

Mr. Martin offered the following reso-

Whereas, On Thursday, January 13, 1921, the House adopted a resolution providing for the purchase of thirty-seven (37) copies of the Statutes of Texas, and provided further that said thirty-seven copies should be placed in the possession of the chairmen of the various standing committees; therefore

Resolved. That the chairmen of the said committees shall retain said books on their desks at all times, for the benefit of any member of this House desiring to use same, or said chairmen shall select a space in the room of the Sergeant-at-Arms, and shall leave all books there, subject to the use and benefit of the members of the House.

The resolution was read second time. Mr. Darroch offered the following substitute for the resolution:

Resolved. That an additional 37 copies of the complete Statutes of Texas be purchased and paid for out of the contingent fund of the House, same to be placed, one on each double desk, and the chairmen of the various committees are hereby relieved of the responsibility as custodians of said books.

On motion of Mr. McCord, the substitute was tabled.

Mr. Owen offered the following substitute for the resolution:

Resolved, That all 37 volumes be placed in the custody of the Sergeant-at-Arms and be subject to his control.

Signed—Owen, Rowland.

The substitute was adopted.

The resolution as substituted was then adopted.

# INVITING CAPTAIN J. D. FAUNTLE-ROY TO ADDRESS HOUSE.

Mr. McFarlane offered the following resolution:

Whereas, Captain J. D. Fauntleroy, United States District Road Engineer, who has in charge the construction of roads under the provisions of the Federal Aid Road Act in the States of Arkansas, Louisiana, Oklahoma and Texas, is now in the city; and

Whereas, Captain Fauntleroy is recognized as one of the best authorities in the United States on the subject of pub-

lic highways; therefore be it

Resolved, That he be invited to address the House at 8 o'clock tonight on the progress made in the construction of State highways in Texas, as seen by the United States Bureau of Public Roads. Signed-McFarlane, Merriman.

The resolution was read second time, and was adopted.

# SUPPLEMENTAL REPORT OF COM-MITTEE ON CONTINGENT EXPENSES.

(Ordered printed in the Journal.) Hon. Chas. G. Thomas, Speaker of the House of Representatives.

Sir: On November 11, 1920, we filed with Hon. R. E. Thomason, then Speaker, the final account to date of the Contingent Expense Account of the Fourth Called Session of the Thirty-sixth Legis. lature. At that time there were outstanding four unpaid accounts, but it was necessary to file the report on that date in order that it might be printed in the permanent House Journal

Notwithstanding the fact that the Thirty-sixth Legislature has passed out of existence, this committee desires to have the expense accounts of that session made a matter of permanent record in the House Journal; and for that reason we are submitting to you this Supplemental Report. The report filed on November 11, and printed on page 183 of the House Journal, shows a total of \$2,242.58 expended. After that date, vouchers were issued as follows:

| Voucher No. 22, Nov. 16, 1920— A. C. Baldwin & Sons, for printing 200 copies each |
|---|
| House Bills 6, 8, 9, 22\$ 47.98<br>Voucher No. 23, Nov. 24, 1920—                 |
| E. L. Steck, for printing warrants and roll calls for House. 16.20                |
| Voucher No. 24, Jan. 6, 1921—<br>Von Boeckmann-Jones Co., for                     |
| printing 1000 copies House<br>Journal, Fourth Called Ses-                         |
| sion  |
| Von Boeckmann-Jones Co., for<br>binding 250 copies of House                       |
| Journal, Fourth Called Session, in sheep  |
| Total\$ 909.84  |
| Amount shown in peport of Nov. 11, 1920\$2,242.58                                 |
| Grand total   |
| Respectfully submitted,<br>JOHN E. DAVIS,<br>Chairman.                            |
| Austin, Texas, January 19, 1921.  |

#### RELATING TO TRANSPORTATION ACT OF 1920.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 2, Supporting the Attorney General in various legal proceedings, resisting the provisions of the Transportation Act of 1920, known as the Cummins-Esch Bill, providing for such sums as may be necessary for that purpose:

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That, whereas there is now pending in the various courts of the State, both Federal and State, litigation involving the validity of the Constitution and laws of Texas and which will result in testing the validity of the Cummins-Esch Bill in its features wherein encroachments are made upon the proper provision and jurisdiction of the Railroad Commission of Texas, and the Constitution and laws of the State of Texas; and

Whereas, The Attorney General is now faithfully representing the State of Texas to the best of his ability and the means at his hands; and

Whereas, We recognize that it is the duty of the lawmaking power of this State to render the proper aid and

support, therefore be it

Resolved, That we commend the Attorney General and the Railroad Commission of Texas in their efforts to uphold the Constitution and laws of Texas, and pledge to them all necessary and proper aid and assistance.

The resolution was read second time. Mr. Satterwhite offered the following amendment to the resolution:

The Attorney General is authorized to employ such additional assistants as he deems necessary, not exceeding two in number, and assign them to the duties of his office in order that his two assistants handling the railway litigation growing out of the passage of the Cummins-Esch bill may devote their entire time to such litigation.

The amendment was adopted.

The resolution as amended was then adopted.

INVITING HON, HENRY WATTERSON TO ADDRESS THE LEGISLATURE

Mr. Wright offered the following resolution:

H. C. R. No. 7, Inviting Hon. Henry Watterson to address the Legislature.

Whereas, The Honorable Henry Watterson, a life-long Democrat and distinguished citizen of the State of Kentucky, is now spending the winter in Galveston, Texas: therefore be it

Resolved by the House of Representatives, the Senate concurring, That Mr. Watterson be invited to address the members of both houses and the public at such time as will suit his convenience.

Resolved further, That a copy of this resolution be sent to the Hon. Henry Watterson.

Signed—Wright, Bryant, Miller of Parker, Stephens, King, Moore, Stewart of Reeves, McDaniel.

The resolution was read second time and was adopted.

#### FURTHER TIME GRANTED.

On motion of Mr. Teer, the Committee on Penitentiaries was granted further time for the consideration of House bill No. 35.

# REPORTS OF STANDING COMMITTEES.

The following bills were reported favorably today by standing committees, as follows:

Constitutional Amendments: House joint resolution No. 8.

Revenue and Taxation: House bills Nos. 156, 127 and 33.

Municipal Corporations: House bill No. 42.

Stock and Stock Raising: House bill No. 28.

The following bills were reported ad- Darroch.

versely today by standing committees, as follows:

Oil, Gas and Mining: House bill No. 115.

Constitutional Amendments: House joint resolution No. 2.

Revenue and Taxation: House bills Nos. 111, 80 and 61.

#### ADJOURNMENT.

Mr. Satterwhite moved that the House adjourn until 10 o'clock a. m. to-morrow.

Mr. Williams of McLennan moved that the House adjourn until 2 o'clock p. m. tomorrow.

The motion of Mr. Williams of Mc-Lennan prevailed, and the House accordingly, at 3:30 o'clock p. m., adjourned until 2 o'clock p. m. tomorrow.

#### EIGHTH DAY.

(Thursday, January 20, 1921.)

The House met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Davis, John E., Adams. of Dallas. Aiken. Baker. Davis, John, of Dallas. Baldwin. Dinkle. Barker. Barrett of Bell. Duffey. Barrett of Fannin. Duncan. Edwards. Bass. Beasley Estes. of Hopkins. Faubion. Fly. Beasley of McCulloch. Fugler. Beavens. Garrett. Binkley. Greer. Bonham. Grissom. Black, O. B., Hall. of Bexar. Hanna. Black, W. A., Hardin. of Bexar. Harrington. Branch. Henderson of McLennan. Brown. Bryant. Henderson Burkett. of Marion. Burmeister. Hendricks. Burns. Hill. Horton. Carpenter. Childers. Johnson of Ellis. Chitwood. Johnson of Wichita. Coffee. Crawford. Jones. Crumpton. Kacir. Kellis. Cummins. King.